

AMENDED IN SENATE MARCH 24, 2011

SENATE BILL

No. 836

Introduced by Senator Padilla

February 18, 2011

An act to add Section ~~399.22~~ 399.24 to the Public Utilities Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

SB 836, as amended, Padilla. Renewable energy resources: cost reporting.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations, as defined. The California renewables portfolio standard program (RPS program) requires the commission to implement annual procurement targets for the procurement of eligible renewable energy resources, as defined, for all retail sellers, as defined, to achieve the targets and goals of the program.

This bill would, *by no later than January 1, 2012*, require the commission to ~~semiannually report to the Legislature on the costs incurred by electrical corporations for contracts approved by the commission pursuant to the RPS program~~ *release to the Legislature the costs of all electricity procurement contracts for eligible renewable energy resources and all costs for utility-owned generation approved by the commission since January 1, 2003. The bill would, beginning July 1, 2012, and every 6 months thereafter, require that the commission to release data to the Legislature for costs approved during the prior 6 months.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature finds and declares all of the*
2 *following:*

3 *(a) In 2002, the Legislature mandated that electrical*
4 *corporations procure 20 percent of total retail sales of electricity*
5 *in California from eligible renewable energy resources by*
6 *December 31, 2017.*

7 *(b) In 2006, the Legislature accelerated and broadened this*
8 *mandate to require that all retail sellers procure 20 percent of*
9 *total retail sales of electricity in California from eligible renewable*
10 *energy resources by December 31, 2010.*

11 *(c) To meet the procurement targets of the California renewables*
12 *portfolio standard program, electrical corporations have entered*
13 *into hundreds of contracts with independent producers of eligible*
14 *renewable energy resources and also built utility-owned*
15 *generation.*

16 *(d) The costs of electricity procurement contracts and*
17 *utility-owned generation have been submitted to the Public Utilities*
18 *Commission for review and approval.*

19 *(e) Those costs are directly passed through to the ratepayers*
20 *of electrical corporations, but are unknown to the public and the*
21 *Legislature.*

22 *(f) In order to ensure that the public and the Legislature are*
23 *aware of the costs of eligible renewable energy resources, this*
24 *measure requires the commission to release those costs, in the*
25 *aggregate, to the Legislature on a regular basis.*

26 *SEC. 2. Section 399.24 is added to the Public Utilities Code,*
27 *to read:*

28 399.24. *(a) Notwithstanding subdivision (g) of Section 454*
29 *and Section 583, no later than January 31, 2012, the commission*
30 *shall release to the Legislature the costs of all electricity*
31 *procurement contracts for eligible renewable energy resources*
32 *and all costs for utility-owned generation approved by the*
33 *commission since January 1, 2003. The data shall be released in*
34 *the aggregate, but shall be categorized according to the year the*
35 *cost was approved by the commission, the eligible renewable*
36 *energy resource type, the kilowatthour cost, and whether the*
37 *approval was limited to renewable energy credits.*

1 **(b)** *Commencing July 31, 2012, and every six months thereafter,*
2 *the commission shall release data to the Legislature for costs*
3 *approved during the prior six months.*

4 **(c)** *This section does not require the release of the terms of any*
5 *individual electricity procurement contracts for eligible renewable*
6 *energy resources approved by the commission.*

7 ~~SECTION 1. Section 399.22 is added to the Public Utilities~~
8 ~~Code, to read:~~

9 ~~399.22. (a) The commission shall semiannually report to the~~
10 ~~Legislature on the costs incurred by electrical corporations for~~
11 ~~contracts approved by the commission pursuant to this article. The~~
12 ~~report shall include the costs of all contracts for eligible renewable~~
13 ~~energy resources or renewable energy credits and include the costs~~
14 ~~of all contracts for each type of eligible renewable energy resource.~~
15 ~~The first report shall be made not later than January 31, 2012.~~

16 ~~(b) A report to be submitted pursuant to subdivision (a) shall~~
17 ~~be submitted in compliance with Section 9795 of the Government~~
18 ~~Code.~~